



**Embassy of the
United States of America**

Bandar Seri Begawan

March 26, 2015

**UNCLASSIFIED
MEMORANDUM**

TO: Lys Boon, Procurement Assistant

FROM: Richard Eclipse, Facility Maintenance Manager

SUBJECT: Sole Source Justification for Gardening Services at Chancery and CMR

REFERENCE: Federal Acquisition Regulations, Part 13

**JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN
COMPETITION (OVERSEAS CONTRACTING ACTIVITIES)**

1. I recommend that Embassy Bandar Seri Begawan use other than full and open competition for the acquisition of gardening services at Chancery and CMR. The cost is B\$11,965.00 equivalent to approx. US\$8,797.80.

2. Nature and/or description of the action being approved.

Sole source (where only one responsible source and no other supplies or services will satisfy agency requirements) under 41 USC 253(c)(1). The acquisition does not exceed the simplified acquisition threshold (\$150,000).

3. A description of the supplies or services required to meet the agency's needs.

The contractor is to provide gardening services for Chancery and CMR.

4. An identification of the statutory authority permitting other than full and open competition.

FAR 6.302-1 Only one responsible source and no other supplies or services will satisfy agency requirement.

5. A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions; also required for unusual and compelling urgency where more than one offer will not be solicited).

Icarus Sdn Bhd has rendered landscaping services both at CMR and Chancery with satisfactory performance. They maintained and kept Post's landscape in a daily basis as per the contract. Icarus management is quick to respond in resolving issues when arises.

6. A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable. The description should include whether a FedBizOpps notice was or will be publicized, as required by FAR 5.2, and if not, which exception under FAR 5.202 applies (e.g., blanket waiver provided in DOSAR 605.202-70).

Not applicable.

7. A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable.

The price quoted by Icarus was considered fair and reasonable.

8. A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted.

A full solicitation for bids was carried out for similar works in 2011 and Icarus was the lowest bidder.

9. Any other facts supporting the use of other than full and open competition.

Post shall be moving out to new CMR in July 2015. The current CMR has to be maintained and kept orderly in the duration of make-good till the hand-over. For this interim, it is ideal to have Icarus continue the landscape service at CMR.

The Embassy is undergoing a project that affects the landscape of the compound; sub-soil drainage system is being installed. The contractor shall finish the project in June 30, 2015 whereby, it is beneficial to the Embassy to have Icarus continue their services till the project is complete.

10. A listing of sources, if any that expressed, in writing, an interest in the acquisition.

No other sources were contacted.

11. A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition for the supplies or services required.

Not applicable.

CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

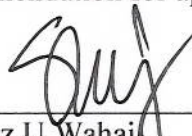
March 26, 2015
Date


Name: Richard Eclipse
Title: Facility Maintenance Manager

Requirements Office

I certify that this submission is accurate, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

26 MAR 2015
Date


Shiraz U Wahaj
Contracting Officer